

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SEAN LARRY GOODWIN,

Plaintiff,

-against-

SUFFOLK COUNTY POLICE DEPARTMENT
P.O. THOMAS KENNEDY #5620,
SUFFOLK COUNTY POLICE DEPARTMENT
DETECTIVE JAMES J. DEMARCO #1397,

Defendants.
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FEUERSTEIN, J.

ORDER

13-CV-1774 (SJF)(AKT)

FILED
IN CLERK'S OFFICE
U S DISTRICT COURT E D N Y

★ MAY 05 2015 ★

LONG ISLAND OFFICE

By order dated March 26, 2015 (the "Order"), the undersigned ordered *pro se* plaintiff Sean Larry Goodwin ("plaintiff") to show cause, by serving and filing an affidavit on or before April 27, 2015, why this action should not be dismissed with prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute based upon plaintiff's failure to appear at the March 26, 2015 pretrial conference. Plaintiff was advised that failure to file an affidavit in accordance with the Order would result in this action being dismissed in its entirety with prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure without further notice. Defendants served the Order on plaintiff at his most current address on March 27, 2015 and filed proof of such service with the Court. To date, plaintiff has not filed an affidavit in accordance with the Order nor has plaintiff otherwise communicated with the Court.

Accordingly, plaintiff's complaint is dismissed with prejudice for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. The Clerk of the Court is directed to close this case. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore *in forma pauperis* status is

denied for the purpose of any appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

SO ORDERED.

s/ Sandra J. Feuerstein
Sandra J. Feuerstein
United States District Judge

Dated: May 5, 2015
Central Islip, New York